Immigration—1925

U. S. Law May Shut Out Indians Of Latin America by Race Test

All But White Men, Negroes and Persons of African Nativity Are Barred Under New Immigration Law.

With echoes of Japan's anger over the total exclusion of her citizens by the United States still reverberating, it became known yesterday that a number of Latin-American nations may stand in precisely the same position with respect to large blocks of their inhabitants under the new immigration law.

In other words, a strict interpretation might bar all persons with a preponderance of American Indian blood, such as constitute more than 40 per cent of the population of Mexico, and an even greater percentage of some other Central American and northern South American republics.

Status of Law.

This was brought out when it became known that inquiries have been made by Department of Labor officials of the State Department and of scientists at the Smithsonian Institution regarding the exact racial make-up of the Indian. If the Indian is neither a white man nor a person of African descent he is barred, according to the plain wording of the law, although a number of considerations might make for a different interpretation in individual cases.

At the Department of Labor it was admitted that such inquiries have been made, although not officially and not with any idea of bringiing a test case. In fact, immigiration officials are not anxious for a test case, realizing the hard-fought legal battles and the international bitterness likely to result.

W. W. Husband, commissioner general of immigration, explained that for the present the question is rather academic than of immediate consequence, since the department is unlikely to be called upon to make a ruling. The Latin American nations, he said, are points of immigration themselves, rather than emigration. It is improbable that a South American Indian would wish to settle in the United States permanently, and if he came as a visitor or student the rule would not apply.

WASHINGTON D. C. STA...
MARCH 23, 1925

U. S. LAW MAY SHUT OUT INDIANS OF LATIN AMERICA BY RACE TEST

All But White Men, Negroes and Persons of "African Nativity" Barred Under New Immigration Law

Court Ruling Narrows Meaning of "White."

Has Discussed Matter.

Commissioner General Husband has discussed the matter with Dr. Danie... Folkmar, ethnologist of the Depart...ment of Commerce and author of the "Dictionary of Races and Peoples," published by the Bureau of the Census in 1911, which remains the official Government classification of races. In this case, he said, it was the opinion that if such an issue arose over a Mexican Indian it might come under the terms of a special treaty signed with Mexico at the conclusion of the Mexican War, so that the racial question could be ignored. This would be a matter of court decision, however, Mr. Husband said, and other Central American nations would present the same problem. The ban might even apply to Canadian Indians, although here again complications might arise through earlier treaties with the various tribes under which some of them still claim special privileges in entering the United States.

Outline of Situation.

The present situation, in brief, as explained by Mr. Husband, is as follows: By a statute passed in 1790 the right of naturalization as American citizens was restricted to "free white persons." Following the Civil War this was amended to read, "and to aliens of African nativity and persons of African descent." The 1924 immigration law forbids entrance to the United States of persons ineligible to become citizens. Thus, the lists apparently are closed to all but persons of unquestionable white blood, negroes and persons of other races born in Africa.

A peculiar twist of the present law, according to Raymond F. Crist, commissioner of the Bureau of Naturalization, is that while a Japanese born in Europe or Canada and whose ancestors might have lived there for generations would be barred, a Japanese born in Africa probably would be eligible to citizenship, and hence able to enter the country, since a special exception is made for "aliens of African nativity."

...y Delicate Questions.

...sent law, Labor Department ...dmitted, opens up the pos... many delicate legal ques...ch may lead to international ...ings if they ever reach the ... Even the eligibility of some ...nts of Asia Minor, such as Armen...ns, has been questioned and would be the occasion of a hard battle if it reached trial.

The classic case of this nature, Mr. Husband said, is the decision of Justice Sutherland of the United States Supreme Court in the application for citizenship of Bhagat Singh Thind, a high-class Hindoo of full Indian blood. The application was denied and, with the new immigration law, the denial automatically bars Hindoos from the United States, although they are citizens of the British Empire, and, according to scientific classification, members of the white race. On the other hand, Commissioner Crist brought out, Parthians who also are natives of India, but whose actual whiteness is more apparent, are eligible to citizenship and therefore can be admitted with the Indian quota.

Justice Sutherland's decision is notable, Mr. Husband said, in that it places a rather rigid interpretation on the word "white" and practically discards present anthropological classifications of racial groups. The interpretation is based on what the framers of the law in 1790, long before anthropologists had devised a racial table, actually meant by "white," with due consideration for their limited knowledge of science.

"If the applicant is a white person within the meaning of this section," the decision reads, "he is entitled to naturalization; otherwise not. . . . The provision is, not that any particular class of persons shall be excluded, but it is in effect that only white persons shall be included. The intention was to confer the privilege of citizenship upon that class of people whom the fathers knew as white and to deny it to all who could not be so classified. It is not enough to say that the framers did not have in mind the brown or yellow races of Asia. It is necessary to go further and be able to say that had these particular races been suggested the language of the act would have been so varied as to include them.

Meant Racial Test.

"Following a long line of decisions in the lower Federal courts, we held that the words imported a racial and not an individual test and were meant to indicate only persons of what is popularly known as the Caucasian race. But the conclusion that the phrase 'white person' and the word Caucasian are synonymous does not end the matter. Mere ability on the part of an applicant for naturalization to establish a line of descent from a Caucasian ancester will not ipso facto conclude the inquiry. Caucasian is a conventional word of much flexibility, and it and the words 'white persons' are not of identical meaning.

"We must keep in mind that it (the statute) does not employ the word Caucasian, but the words 'white persons' and these are words of common speech and not of scientific origin. The word Caucasian not only was not employed in the law, but was probably wholly unfamiliar to the original framers of the statute in 1790. Indeed, as used in the science of ethnology, the connotation of the word is by no means clear and the use of it in its scientific sense would simply mean the substitution of one perplexity for another. The words of the statute are to be interpreted in accordance with the vocabulary of the common man, from whose vocabulary they were taken.

"It may be true that the blond ...navian and the brown Hindoo ... a common ancestor in the dim ...es of antiquity but the average ...an knows perfectly well that there are unmistakable and profound differences between them today, and it is not impossible that if the common ancestor could be materialized in the flesh we should discover that he was himself sufficiently differentiated from both of his descendants to preclude his racial classification with either. In 1790 the Adamite theory of creation—which gave a common ancestor to all mankind, was generally accepted and it is not at all probable that it was intended by the legislators of that day to submit the question of the application of the words 'white persons' to the mere test of an indefinitely remote common ancestry without regard to the extent of the subsequent divergence.

"It would seem reasonably clear that mere resemblance in language, indicating a common linguistic root buried in remotely ancient soil, is altogether inadequate to prove common racial origin. Our own history has witnessed the adoption of the English tongue by millions of negroes whose descendants can never be classified with the descendants of 'white persons.'

Included in "Caucasian."

"The term Caucasian includes not only the Hindus but some of the Polynesians and the Hamites of Africa upon the ground of the Caucasic cast of their features, though in color they range from brown to black. We venture to think that the average, well informed white American would learn with some degree of astonishment that the race to which he belongs is made up of such heterogeneous elements.

"What we now hold is that the words 'free white persons' are words of common speech, to be interpreted in accordance with the understanding of the common man, synonymous with the word Caucasian only as that word is popularly understood. As so understood and used, whatever may be the speculations of the ethnologist, it does not include the body of people to whom the appellee belongs. It is familiar observation and knowledge that the physical characteristics of the Hindus render them easily distinguishable from the various groups of persons in this country commonly recognized as white. It cannot be doubted that the children born in this country of Hindu parents would retain indefinitely the evidence of their ancestry. It is very far from our thought to suggest the slightest question of racial superiority. What we suggest is merely racial difference."

With this decision in mind, Mr. Husband said, the question of eligibility reverts in any contested case to the opinion of a court as to whether any group of individuals constituting a nation are "white" at the ...t, and all learned arguments ...ng them back to the same origin ...he people of northern Europe, for ...tance, go for nothing. The framers of the statute of 1790 would have looked at a Hindu and pronounced him brown merely from the color of his skin, without taking his cephalic index or the length-breadth ratio of his nose.

Dr. Folkmar, in his official guide of races, pronounces the American Indian tribes, both North and South, as Mongolians of the same primary racial stock as the Japanese or Chinese, although with great modifications due to their long residence in the New World. Therefore, they are certainly not white and they have no relationship whatsoever to the black men of Africa.

Members of the great negro population of Brazil probably could enter the United States without difficulty. They are ... descent. The pure Casti... ials, who in the past have ...he ruling class of most ...ican republics, could, of ...me in without question. ... great blocks of pure-blood ... and the still greater bl... half-breeds might be kept ou... nybody took the question to the ...rts.

Commissioner Husband said that the case probably would not fall to the Bureau of Immigration to defend. All New World peoples are outside the quota regulations, but a special non-quota vise must be obtained from the consul at the port of embarkation, and this man would be a State Department employe. Hence the original responsibility would be upon the State Department for issuing a vise. When the man reached an American port, he believed, the Bureau of Immigration could fall back upon the State Department vise.

The present wording of the law, Mr. Husband admitted, was chiefly dangerous in that it gave an opportunity for a trouble maker, particularly some person with a grudge against some South American country, to bring a test case, with all the bitterness certain to attend the arguments and the possible permanent hard feeling if the immigrant was barred. It is largely to

make certain of the legal grounds on this point that the inquiries have been made.

Fortunately the larger Latin American nations would be unaffected by such a case. Brazil's population is white and negro, with a small Indian contingent, which has not reached the culture of the others and is very unlikely indeed ever to stray beyond its own country. Chile and Argentina have almost entirely white populations. Uruguay also is predominantly white. Cuba and the other West Indian countries either are white or black. But such nations as Bolivia, Paraguay and five or six others have large half-blood populations. Dr. Folkmar himself states that 40 per cent of the people of Mexico have no white blood.

The Indian, long classified as a race unto himself, now has been merged with the yellow race in most anthropological classifications. He is presumed to have come originally from Asia and to have been part of the same stock as the Chinese. Hence any amendment of the law providing for admission of the "red" race might not remedy matters, since it would be possible to insist that there is no such thing.

At the office of Secretary of Labor Davis it was stated that any inquiries concerning the racial status of the Indian are not to be considered as official, but that the commissioner of labor statistics had plans for a comprehensive study of the question and already had gone into it rather deeply during the travels of the official party in South America this Summer.

In the meantime Mr. Husband does not anticipate any immediate test. He doesn't expect any members of an agricultural population, such as the South American Indians, will wish to turn from the great undeveloped lands of Latin America to settle in the United States. But in the meantime, the question holds dynamite-like potentialities.

For instance, President Calles of Mexico, reputed to be a full-blooded Indian, although one of the world's great statesmen, might be barred from ever residing in the United States.

Japanese Colony Planning to Farm Land in Arkansas

Memphis, Tenn., January 25.—The movement to place thousands of Japanese farmers in the rich portions of Arkansas between Marion and Joyner, Ark., began to take form several days ago when two families of Japanese from California settled upon this vast acreage, and according to Dean Adams, Memphis realtor, Japanese have incorporated and propose to buy several thousand acres of land in that section and colonize with 50,000 Japanese, the Commercial Appeal says.

The negotiations relative to the Japanese colony between Marion and Joyner have been in progress for some time, two Japanese having come to Memphis early in the fall to formulate plans for the proposed colonization.

The Japanese, who will settle in Arkansas, the story says, will be from California, and a company composed whose lines run into Memphis, are at present trying to secure contracts for the transportation of these people from California.

The proposed colony will engage solely in farming pursuits, the pioneer families say, as the land in question is claimed to be especially adapted to the growing of asparagus.

FIFTY MILES FROM CLEVELAND

(Columbian Press Bureau)

Washington, D. C., May 5—While our colored farmers are moving from the South to northern industrial centers, Japanese farmers are being brought from California to Ohio and other northern and eastern states to do truck farming, because of the constant and increasing demand in the centers of industry for a greater quantity and variety of vegetables. Negotiations have just been completed for the placement of 500 Japanese farmers from California on 5500 acres of leased land in Huron County, Ohio about fifty miles from Cleveland, a city where hundreds of colored farmers from the South, untrained in industry but trained in agriculture are working in the factories and mills, a common laborer. The first Japanese farmers are expected to reach Huron County in July, with others following upon the completion of their harvest in California.

Lettuce, celery, onions and other vegetables will be planted, and the Ohio Farms Company is now constructing fifty houses for the first fifty families It may not be long before Japanese truck farmers will monopolize this very profitable business in Michigan, Indiana, Maryland, Deleware, New Jersey and New York unless our farmers greatly increase their production of vegetables and form associations for the proper handling and marketing of their produce.

Alien African Labor in the United States

It is not generally known among Afro-Americans that Africans are the only non-European people who are admitted to the United States under our immigration laws Asiatics are barred out, but not Africans This is a significant provision and was made we are sure in deference to the Afro-American citizenship of the country. With what has become known as "The Rising Tide of Color," "the Nordic tide," as it were, which would ostracise as less than 100 per cent American citizenship the Jew, the Catholic, the Negro and the foreign born, and the emphasis which the English-speaking people and European people generally are placing upon the question of "white supremacy," it will be well for Afro-Americans to keep a sharp eye on the provisions in the immgration law which give admittance to Africans on terms of equality with European aliens, and to the exclusion of Asiatics.

How many African aliens are there in the United States? That is an interesting question. As to the laborers we are indebted to the Cameraman for the following figures:

African (black) aliens, contained in the immigrant labor group seeking employment in this country, has increased during the period 1920 to 1924 to over one per cent, as compared with one-half of one percent during the five years prior to the World War. These percentages are plainly indicated by figures which show that during 1920-1924, 578,158 immigrant aliens, a yearly average of 115,623, sought the fields and factories of American production. Of these numbers, there was a total inclusion of 6,622 Negro laborers, a yearly average of 1,324,, or about one per cent.

During 1910- 1914, the total number of immigrant aliens admitted was 2,210,481, a yearly averagle of 442,096. Of these numbers there was a total inclusion of 9,893 Negro laborers, a yearly average of 1,979, or about one -half of one per cent.

Seeking significant conclusions, we face the following indisputable facts: The total incoming immigrant alien labor group suffered the tremendous drop from 2,210,481, during 1910-1914, to 578,158, during 1920-1924; but the Negro content, during that comparative period, only fell from 9893 to 6,622, and while it fell in quantity, its percentage jumped from one-half of one per cent to one per cent in the ratio of inclusion. The Cape Verde Islands, a Portuguese possession off the West Coast of Africa, furnished the largest number of admissions.

It is a matter of information that the British Government has adopted a rule that West Indians shall not leave the islands and that West Indians and American Negroes shall not have free entry into Africa. This principle is so far enforced that American and West Indian Negroes are not allowed to disembark at British ports in Africa. A bishop of the African Methodist Church was arrested in a South African port and paraded through the streets, it is said, until he proved that his mission was pacific, that he was not an advocate of strife, that he would preach the gospel of peace as the British enforced it, and not stir up strife against the civil authority of tyranny and oppression. It is understood that the American State Department has endorsed the British principle in this matter. It would be interesting to find out how far the State Department is committed to it.

The effort to make the world safe for "white supremacy" is going to fail. It is going to fail because the world belongs to all of the people in their lands, in their families, in their tongues, which have become languages. We have an illustration of this in our constitutional pronouncement that "all persons born or naturalized are citizens of the United States and of the States in which they reside." That applies to all "strangers within the gates," whether they be Nordics or differentiates.

It is a good and wise thing for Afro-Americans to keep their eyes open, not only at home but in foreign lands, because "all are but parts of one stupendous whole."

Immigration - 1925. I

SMUGGLED ALIENS.

The Secretary of Labor intends to call a conference of officials concerned with patrolling the Canadian borders in order to see what can be done to check the "bootlegging" of immigrants. This is not the first time that Mr. Davis has expressed his concern about this kind of smuggling. That tens and possibly hundreds of thousands of aliens would cross the Canadian and Mexican borders annually and that many others would be smuggled ashore from ships was expected at the time the immigration restriction laws were enacted. The numbers of such aliens appear to be steadily increasing. Occasionally a few are caught and turned back. But it seems to be even easier for immigrants than for liquor to evade the scant border and coast patrols. In some places it is known that an organized traffic in immigrants exists, and that the rates charged are exorbitant. To these assisted immigrants must be added the desertions from ships in various ports, which, during the fiscal year ended June 30, 1924, amounted to 34,679, compared to 22,252 in 1923. These desertions, to be sure, are in part due to the La Follette Seamen's act, but are in fact, if not in intent, violations of the immigration laws and help to swell the total of illegal entrants.

Reports for the first half of the current fiscal year, showing the working of the new Immigration act, indicate that the total immigration for the year will approximate 462,000, or about one-half that of last year. If against this are offset the departures of aliens for Europe the net immigration should come to about 250,000, whereas it was 660,000 last year. It is more than likely that the increase of immigration from Canada, which is not numerically restricted, will add another 100,000 to this figure, and that persons admitted under various exempt classes will still further swell the total so that about a half million aliens will come in during the present fiscal year.

The presumption is that the greater the legal restrictions the greater will be the illegal entries. The barrier is artificial and has been erected against two economic forces. One, on the inside, consisting of high wages and a demand for cheap labor, is constantly luring workers across the borders. The other, on the outside, consisting of unfavorable living and working conditions in Europe, is forever pushing workers over the Atlantic. It is probable that an exact estimate of the numbers who come in illegally will be impossible until the next census, and even then will be largely conjecture in that many who have entered the country illegally may give false answers to the questions of the census takers. In the meantime it is essential that the border patrols be increased and that provisions be made to mete out heavy punishments to persons caught in this smuggling business. Not to fight illicit entry is to be unfair to those who, abiding by the laws, patiently await their turn to make legal entry into the United States.

12,243 NEGROES ENTERED U. S. DURING 1924

(By N. A. A. C. P. Press Service)

New York, February 6.—According to the Annual Report of the U. S. Commissioner of Immigration, for the year 1924, received by the National Association for the Advancement of Colored People, 69 Fifth Avenue, 12,243 Negroes have been admitted to the United States in the past year.

Among these were 523 carpenters, 507 clerks and accountants, 439 dressmakers, 815 seamstresses, 809 farm laborers, 59 engineers, 20 musicians and 116 teachers.

As against the 12,243 Negroes admitted to this country, only 1,449 aliens and 93 naturalized citizens of Negro race left the United States.

SWISS FARMERS NOW HEADED FOR ARKANSAS

Washington, D. C., April 1 (PNS).—Senator Caraway and his law partner, H. M. Cooley of Jonesboro, Ark., and J. W. Pittinger, representing Jonesboro Chamber of Commerce last week made a united effort to straighten out a tangle which has developed with reference to bringing into the United States a number of Swiss farmers, former immigrants, who are to be placed on lands in Eastern Arkansas. Twelve of such families already reached the colony and two are held up at Port Arthur, Ont., while negotiations have been completed for bringing in 30 more families. In addition to these immigrants, it is intimated that a Mennonite colony, now domiciled in Kansas, is negotiating for purchase of lands in the rice section west of Jonesboro.

Why Add to the Number of "Colonies"?

From New Jersey comes a report of an effort to form a colony of Russian exiles on a large tract of land that is in process of acquisition for it by them. Without wishing to interfere with anybody's deal in real estate, it does seem necessary to ask why these Russians should want to get off by themselves in the Jersey wilds, and to suggest that it would be wiser for them to scatter and assimilate with the rest of the American population.

Of course, if they expect to get back to Russia soon it might be wise for the exiled "whites" to keep together for council and action when the good time comes. But segregation, with the difficulties it adds to the learning of a new language, makes earning livings less easy, and "colonies" almost always, and almost always with good reason, become unpopular with their neighbors.

Usually it is after an immigrant gets out of his "colony" that he goes ahead fast and far if he is going to do so at all. The colonist remains a foreigner much longer than does he who chooses his associates for other than geographic and ethnic reasons.

PLANS MADE TO SETTLE GERMANS IN CALIFORNIA

L and N. Agent Returns From Rhineland To Announce Scheme.

NEW YORK, Jan. 11.—Plans for colonizing German farmers in Arkansas and southern California were announced today by Walter Schade, for many years immigration agent for the Louisville and Nashville, on his return aboard the liner Cleveland from Germany.

"We will bring over fifty families in April and fifty more during the latter part of 1925," he said. "The first group will settle on land near Texarkana, Ark., paying for the land as they develop it. Only selected farmers will be brought over.

African Emigrants Exceed I'migrants

Columbian Press Bureau—

Washington, D. C.—According to statistics compiled by the U. S. Bureau of Immigration, 681 African aliens departed from the United States during the seven months period ending January 31, 1925.

This number is 154 more than 527, the number of African immigrants which landed in the United States during the same period. This showing indicates that African people are, to some extent, following the trend of the Spanish, Italian, Japanese, Croatian, and other peoples, whose tendency is to return to their homelands in greater numbers than those that are leaving; while the English, French, German and Mexican people are flooding the gates of the United States for entrance.

NET IMMIGRATION CUT ALMOST HALF

Washington, February 11.—Analyzing figures obtained from the labor department covering the first six months' operation of the new immigration law, its author, Chairman Johnson, of the house immigration committee, estimated today that the total immigration for the current fiscal year would be about half of the net immigration for the preceding 12 months.

Mr. Johnson adduced that Mexican immigration has dropped 60 per cent and Canadian more than 38 per cent, with Germany furnishing the greatest number of European immigrants and the Irish Free State second in this category.

Deportations have doubled, he said, and the exodus of aliens to Bulgaria, Czecho-Slovakia, Greece, Hungary, Italy, Lithuania, Poland, Portugal, Rumania, Spain, Yugo-Slavia, Armenia, China, India, Japan, Persia and Syria has been greater by 32,000 than the immigration from those countries.

Fewer than 100,000 persons were added to the population through immigration in the first six months of the new law's operation, of whom 38,474 came from Great Britain and Germany, it was shown. Figures so far show admission of quota immigrants numbering 66,749, or 40 per cent of the annual possibility, while western hemisphere non-quota countries have sent 94,404, Mr. Johnson said, "presaging a total immigration of [illegible] during the year."

"The figures," he asserted, "disprove the charge that the law is harsh in its operation."

THE NEW LAW SUCCEEDS

The new revised immigration law, after a year of trial, has proved an unqualified success, in the opinion of Immigration Commissioner Henry Curran of New York City. His report confirms the wisdom of Congress in reducing the quota, spreading it and providing for control at the source through American consulates.

The New York Herald and Tribune says of the Curran report:

The immigration visa check has done away with the quota races. Now there can be no excess quota with consequence of Ellis Island jams and deportations. Great hardship to immigrants is thus averted. The apportionment of the quota in monthly installments of not more than 10 per cent of the annual number of visas has relieved congestion at the local station and enabled the medical inspectors at the island to do their work thoroughly instead of posthaste, as formerly. Not for a year has any of our foreign friends called Ellis Island a "black hole of Calcutta."

He notes, too, an improvement in the quality of the immigrants, which he attributes to careful selection abroad by our consuls. The new comers are mainly young, vigorous and intelligent—good candidates for American citizenship. There is no doubt whatever that control at the source is the effective way of sifting. The present law may be bettered in some particulars, but as it stands and is being administered, it has quieted the immigration turmoil.

SAYS OUR ALIEN BAN SUSTAINS HIGH WAGES

Industrial Board Director Also Sees a Greater Mechanization of Industry.

Declaring that the United States was at a turning point in its economic development, Magnus W. Alexander, managing director of the National Industrial Conference Board, at the board's ninth annual dinner at the Hotel Astor last night said that immigration was one point where America had broken with the past.

One effect of restricted immigration already felt by industry, according to Mr. Alexander, was the sustained high wage level, similar to the effect of a high tariff on manufactured goods. Actual money wages in the industries, he said, were now 116 per cent. above what they were before the war and even allowing for the decline in the purchasing power of the dollar "assuming that the same standard of living prevailed as existed in 1914, the wage earner today is now about 30 per cent. better off than he was even at the peak of the wage level in 1920."

The immediate outlook, Mr. Alexander said, was for maintaining the present wage level and a continuance of the slow but steady rise which has prevailed since 1840."

That despite poor business conditions in 1924 there was no general tendency to reduce wages, Mr. Alexander declared, was a striking commentary on the new attitude of American industrial managers toward the wage earners and promised a future of relative industrial peace.

Greater efficiency, due to greater mechanization of industry and increased managerial efficiency, said Mr. Alexander, had marked the last few years, partly induced by the lack of the cheaper foreign labor, now rapidly being displaced by machine power. The future, he believed, will see a more intensely mechanized industry and still greater increase in managerial efficiency.

Another outstanding phase of the present day, he said, was the resumption of the combination and consolidation move-

ment. While in the past, he said, the potency of combinations for evil was primarily emphasized, today consolidation was recognized as a power for economic good.

He declared that the nation was now embarking on an era of railroad consolidations and shipping lines, combinations in agriculture, in trade and other fields and this tendency promised to continue. The sme tendency was effecting a revolution in the distributive process, as evidenced in the rapidly increasing number of chain stores, mail order houses and syndicate buying by department stores, gradually changing the traditional path of distribution.

THE new and severely restrictive immigration law enacted by the last Congress has been in effect for a period of nine months. Results have been substantially what were anticipated by its sponsors—but the problem is far from being solved. The next Congress probably will deal with it further. Both supporters and opponents of the selective principle now applied are advocating changes. Some want the restrictions made more severe, others would lighten them. 3-17-22

Two sub-problems bisect the major issue. One of these has to do with legal and the other with illegal immigration. While legal immigration has been curbed to the extent that advocates of the new policy expected, that of the illegal—the "bootlegging"—kind has probably increased greatly. Some officials estimate that immigrants have been coming in clandestinely at the rate of at least 100 a day, or around 40,000 a year. Some say the number is much larger, and no effective means have yet been evolved for stopping the traffic.

During the first eight months more than 16,000 persons who tried to come into the country as immigrants were turned back, and more than 6,000 who had managed to get in were deported. Many of the latter arrived, however, before the present law went into effect.

Smugglers Are Busy.

The "bootlegging" of aliens is now an international industry, more extended in its operations than rum smuggling and more productive of drama and tragedy.

"They come from all directions and by all means of transportation," says J. J. Davis, Secretary of the Department of Labor—by which the immigration laws are administered. "They are huddled in the dark holds of smugglers' vessels which ply from the islands of the Caribbean Sea with illicit rum and vile narcotic drugs. They steal across our vast expanse of land border; they come by railroad, automobile and airplane."

Few of them arrive independently, "on their own." Nearly all are smuggled by persons or organizations who make more or less a business of the "bootlegging" of aliens.

An investigator who recently visited the Caribbean area for the purpose of looking into these operations as carried on there estimates that the "bootlegging" of aliens via Cuba alone involves expenditure of around $10,000,000 a year, and the smuggling annually of more than 10,000 persons in violation of the immigration laws.

He reports that he found the industry being carried on in a highly organized way, with systems of fairly uniform charges for services rendered, these depending on the type of alien to be handled and the kind of service desired.

It is comparatively easy for immigrants from any part of the world to get into Cuba. Several different methods are used in smuggling thence those whose aim it is to get into the United States and who have funds with which to meet the cost. Some manage it with spurious Cuban birth certificates, others successfully pretend that they are students, whom the law permits to enter.

This investigator's report states that some women—necessarily in no great number—make the crossing from Cuba to Florida as the "wives" of officers on otherwise legitimately operated freight and passenger vessels. The fee for this kind of transit, including cost of railroad ticket for transportation into the interior after getting to port, is put down as from $450 to $500.

The cheapest transit, the report continues, is by means of schooners. That kind of passage can be procured at from $100 to $180, but usually involves a great deal of discomfort and some risk, even, of life. Passage on fast motorboats small enough to operate from out-of-the-way points on the Cuban coast and dive into remote landings along the serried coast of Florida is provided at an average cost of $180 a passenger. Since from ten to twenty can be handled on these small boats, which make the passage in a few hours, the business done by them is highly profitable and has been, according to the report, considerably developed.

Rings Within Rings.

There are rings of smugglers; rings within rings, interlacing. The organizers are brainy men, used to putting across large business deals. They manage with one hand the army of runners who round up the aliens in the slum and immigrant districts of Havana, and with the other the transportation facilities, as well as the receiving machinery in the States.

Some of these men, the report describes, are powerful in both business and political circles. The mechanism is so well organized that, if the fee is large enough, safe delivery anywhere in the States will be guaranteed.

Ruthlessness, however, often characterizes operations. There was in Havana, for instance, a Canary Island half breed, "the most brutal and most savage of all of these pirates." He and two of his accomplices for an entire year used to take every week from three to five aliens in rowboats back of Morro Castle, "under pretense of smuggling them across to the States, but in reality only to murder them in cold blood and throw their bodies to the sharks after they were stripped of all things of value."

Thirty-five skeletons can be seen on one of the Florida Keys, we are told—"All that remains of thirty-five aliens who were landed there by a smuggling boat." They were assured that another boat would pick them up and take them to New York. The boat never came.

"Still more cruel," says the report, "are cases where Chinese were tied in sacks and dumped overboard when a revenue cutter chased the schooner on which they were being smuggled; or in another case, sunk with the vessel after the schooner had been abandoned by its crew. There also is the tale of seventeen Chinese dropped overboard, one by one, to delay a revenue cutter that was hot on the trail of the smuggling craft, till the latter reached the Cuban safety zone."

Another story relates of a schooner which had been boarded for search by inspectors. They found a Chinese concealed in the engine room who had been knocked in the head and whose body had been thereafter thrown into the furnace. There are stories, too, of contraband aliens drowned in water tanks. Some have even been smuggled through while afloat in life preservers in tanks. Aliens have been detected buried in coal in ship's bunkers, with only their blackened heads showing above the surface. It is stated that even women have been found concealed in that way.

Chinese have to pay the highest fees for passage, because of the ease with which they can be spotted. The smugglers get from $700 to $1,000 each for handling aliens of that race. A large number of Chinese who got in both by way of Cuba and Mexico, as well as the Pacific, have been caught by immigration authorities.

Keeping a Strict Alien Census.

While the smuggling of aliens is most highly organized in Cuba and along the Florida coast, a great deal of it occurs on the whole stretch of both sea and land borders. And Secretary Davis is of the opinion that it can be stopped only by bringing all aliens now in the country under close official scrutiny, by requiring them to register; to report at stated times to the authorities. It also would facilitate Americanization activity, he believes.

"There is nothing radical or revolutionary in this proposal," the Secretary declares. "I am asking the alien to do nothing that I would not willingly do myself. Every American citizen must qualify for exercising the right to vote. I myself must travel from Washington to Pittsburgh in order to register, and have to give my name, my birthplace—prove my identity if necessary, and establish the fact that I am a citizen."

On the other hand, some who have to do with administering the immigration laws doubt whether registration would have much effect on the bootlegging evil.

"There are more than seven million aliens in the country, with several hundred thousand more coming in annually by legal means," these officials observe. "Each one would have to be searched out and asked to show a registration card at regular intervals—an almost impossible task.

Not a Bed of Roses.

"Of course every alien who has entered the country illegally is in constant jeopardy. At any time we may be tipped off as to the facts. Small rewards are allowed for these tips; they bring about most of the miscellaneous captures we make. But no doubt the total number of captures is small compared to the number remaining unapprehended."

Deportations often involve cumbersome and costly procedure. Secretary Davis recently recited the facts of a case which his department had to pursue [illegible] the courts for seven years in order to bring about the deportation of an apparently highly undesirable alien—a virtual white slaver.

"I've no doubt whatever that the man finally deported is back here, or will get back here," states E. J. Henning, until recently Assistant Secretary of Labor. "He was here long enough to learn the ropes, and is pretty sure to sneak back over the borders. We know that many deportees do that. Easily 50 per cent. of them return, and we are helpless to prevent their doing so."

The new law has overwhelmed officials with details covering cases in which they can use discretion. For instance, they can give preference to some aliens eligible to come in under the quota laws—such as the wives and children of aliens already here. Wives of men who have become citizens, and their children under 18 years of age, may come in as non-quota immigrants.

Long Waiting Lists.

Something like 20,000 applications have been made for "preference rights." Most of these have been granted, but in many cases years will elapse without action, owing to the long waiting lists in consular offices abroad, where the demand for visas is great and the allowable quotas small. Under the quota rule, visas are granted in the order of the filing of applications; in numerous cases these now cover quotas for four to five years ahead.

It is possible for foreign Governments—since they first issue passports to those desirous of leaving—to permit only persons least desirable to apply for visas.

"I was told by a high official of one Government in Europe that his country was interested in emigration to the United States only in so far as it helped dispose of the 'old men and the rubbish,'" said Secretary Davis, who would like to see eliminated the requirements which make it essential that immigrants have passports from their own Governments. He would also make it possible for the President, when satisfied that passports are being granted only to "old men and rubbish," to prohibit all immigration from the offending countries until the practice is discontinued. A process of individual and group selection might equally be applied by American officials abroad in issuing permits to immigrants proposing to go to the United States.

No Selective Arrangement.

"As it is," comments W. W. Husband, Commissioner General of Immigration, "the matter reduces itself to 'first come, first served.' A shoe string peddler bound for the crowded east side of New York gets a visa if he applies first, even though it means denying a splendid stonecutter the right to emigrate to Vermont, where his work would fill a real need."

The law allows preferences to persons skilled in agriculture, but little has come from this provision. The State of Maine has been agitating a plan whereby a hundred selected European families might be brought to this country for employment on Maine farms.

During the first eight months of the new law's operation nearly 20,000 immigrants, or nearly 10 per cent. of all coming in, gave their occupations as farmers or farm laborers. It is not believed, however, that many really proposed to pursue such occupations here. A check on this is indicated by figures having to do with departures. Of those departing during the first eight months of the present fiscal year only a few more than 1,000 out of nearly 70,000 said they were farmers or farm laborers.

The bulk of the immigrants coming in under the new law are listed as industrial workers, common laborers constituting the greatest number. Servants are second in number.

Numbers Greatly Reduced.

Immigrants have come in under the new law at the rate of about 23,000 a month, though the figure jumped to nearly 40,000 in March. This is against about 50,000 a month under the first quota law and 100,000 or more under the pre-war open policy of admission. Departures have been as numerous as under the old laws. Many of these, however, are only temporary, since an alien already here legally can go away and return, regardless of the quota limitations. During the first eight months 67,901 left the country.

Non-immigrant aliens coming into the country now amount to about two-thirds as many as those who come in to be residents. Between July 1, 1924, and March 1, 1925, a total of 103,750 non-immigrant aliens arrived, mostly visitors on business or pleasure bent. These usually carry permits which entitle them to remain a year. Only a general check is kept upon them. Before the expiration of the time set they are usually notified that the expiration of their permit is at hand. Many apply for extensions, but not a great proportion of such applications are granted. There is no certain way of determining whether they leave the country. For the period covered by the latest figures known, departures of alien visitors numbered 12,000 fewer than arrivals.

Case of Count Karolyi.

Scant record is kept concerning these non-immigrant visitors. Only in exceptional cases, like that of Count Karolyi, are the applications referred to Washington, and then to the State Department only. It is probable that many come ostensibly as visitors, but with intent to remain.

The majority of immigrants now come to us from non-quota countries, such as Mexico and Canada. The net gain in population by immigration from the New World has been three and a half times that from the Old World.

The greater portion of European immigration is derived from the "Nordic" countries, though here the incoming tide has fallen short of what is allowed by law. Only a little more than half the number which Germany is entitled to send came in during the first eight months. The Irish Free State probably will exhaust its quota allotment for this year; while Great Britain will, at any rate, very nearly do so likewise. Immigration from the Scandinavian countries as a whole may fall short of aggregate quotas, which are not large.

Under the new law the incoming of legal immigrants from Russia and [illegible]

Immigration—1925. V.

tries of Southwestern Europe, whence great tides used to flow, has been slight, because the quotas, based on population of the country in 1890, are small. During the eight months in question only 12,074 persons came into the country from Italy, of which number 1,586 were quota immigrants.

Though many of the harsher restrictions in the old law were mellowed by the new one, present limitations are productive of individual problems. For example, a large proportion of those debarred at the ports are kept out chiefly on a technicality which the officials could not waive. More than two-thirds of them did not have properly visaed passports. Many who had qualified for admission under the old law found it necessary to requalify under the new.

Since physical examinations are required before embarkation, on the other side, merely a small percentage are turned back because of disease or physical defects. A few fail to gain admittance because of inability to read and write.

Unless changed by further legislation, the present quota arrangement will operate two years more. After July 1, 1927, the quotas are to be based on the entire population in the continental United States in 1920. That of any country now within the quota rule "shall be a number which bears the same relation to 150,000 as the number of inhabitants of that national origin bears to the number of inhabitants" in the country at that time. This means going back to Plymouth Rock and Jamestown as a basis for immigrant

Washington, D. C., April 14. (By A. N. P.).—Immigration experts here are studying the law to determine whether, under certain strict interpretations, Mexicans and South and Central Americans of preponderant indian blood are barred from entry into this country.

Inquiries have been initiated by the Labor Department, which administers the immigration laws, as to the exact racial make-up of the Indian of Latin-American countries. If he is neither a white man nor a person of African descent, he would be barred, it is contended in some quarters, although a number of considerations might make for a different interpretation.

If the issue arose over a Mexican Indian, it is pointed out, it might come under the terms of a special treaty signed with Mexico at the conclusion of the Mexican war, so that the racial question could be ignored. This, however, would be a case for Court decision and other Central or South American republics would present a different problem.

The ban might apply to Canadian Indians, although there again treaty complications might arise.

By a law in 1790, the right of naturalization as American citizens was restricted to "free white person." After the Civil War this was amended to read "and to aliens of African nativity and persons of African descent." The 1924 law, in turn, forbids entrance to the United States of persons ineligible to become citizens. Thus on the face of the law the lists would appear to be closed to all but persons of unquestionable white blood, Negroes and persons of other races born in Africa.

In several Latin-American countries, notably Mexico, persons of Indian descent form a very large percentage of the total population.

15 ARE CHARGED WITH SMUGGLING ALIENS INTO U. S.

Tampa, Fla., October 23.—(AP)—Captain William Sunberg, five other officers and 14 seamen of the steamer Jeanette, owned by Donald Brothers, of New York, went on trial here today in the United States district court, charged with conspiracy and smuggling of aliens. All pleaded not guilty.

Conviction means that they would virtually be barred from ever going to sea again on American craft, it is said.

Defense attorneys entered a demurrer on the grounds of defective indictments but were overruled. Considerable delay was caused in selecting a jury and examination of witnesses because of the need of interpreters.

Fines of $10,000 have been placed against the vessel by immigration officials and an additional $450 by customs officials, the latter claiming that liquor was found aboard.

The government alleged that nine aliens arrested testified to having been landed at Port Tampa from the vessel after paying $300 each to be brought here from Havana.

REOPENING THE JAPANESE EXCLUSION QUESTION

The World's Work takes what strikes us as a sane view of the movement to have Congress repeal the Japanese exclusion act and restore Japanese immigration to the quota basis. The Federated churches, a number of women's organizations, and others are agitating for repeal. In substance, the World's Work, in its January number, declares that under the Constitution half the world's population is arbitrarily excluded from the privileges of American citizenship because of their color, the one exception being the negro race, which is the beneficiary of a special Constitutional amendment. However many Japanese might commend this country they could never hope to become citizens, for they are on the same basis with other Orientals, who are excluded. Japan has not been discriminated against, declares the World's Work. Moreover, the movement for repeal can only reopen a question anew, while there is no prospect that Congress will yield to the pressure.

ALIEN INFLUX ENDANGERS U.S. EXPERT SAYS

Labor Classes Affected By Competition Of Cheap Immigrant Help. Rigid Bar Is Advocated.

WILLIAMSTOWN, Mass., Aug. 19—The immigration question, a thing of vital concern to the colored American, has a real champion of restriction laws in the U. S. in Professor Edward M. East, Harvard expert on population problems.

Prof. East bases all of his conclusions on sound economic, social and political doctrines.

Gives Ten Reasons

Speaking on "The Biology of the Immigration Question" before the population round table at the Institute of Politics here last week, Prof. East read a "Decalogue on Immigration," giving ten arguments for the restriction of immigration by the United States.

He said the most important reason was that low-grade immigrants would eventually make Americans unfit to face the more bitter struggle for existence which will come as our population continues to grow. Even now, he said, 25 per cent of the American people are "undesirable" in that they are unfit to deal with the conditions of modern life.

Professor East caused a tempest at the institute two weeks ago when he criticized Count Antonio Cippico's demand for emigration outlets for Italy's surplus population. A storm of protest from Italians followed the Harvard professor's statement that birth control was the only rational solution of Italy's over-population problem, and that Southern Italy had been sending "the dregs" of her population to American in recent years.

Professor East stated his "Decalogue" as follows:

"1. Emigration forced as an economic necessity by population density affords no permanent relief to the homeland, because the ensuing birth release re-establishes the old equilibrium.

"2. Conditions in this country are today and will continue to be such that newcomers will meet increasingly bitter competition, which must be accepted under unfamiliar conditions and often with a linguistic handicap.

"3. Immigrants who come with a lower standard of living tend to reduce our own standards.

4. "Immigrants who are relatively incompetent when compared with the native—and there are many such—are expensive employes because of our tendency to think in terms of a minimum wage.

"5. Incompetent immigrants are expensive fellow-citizens because they add to the tax rates; that is to say, they require more than a fair share of the public money to be spent for benevolent institutions.

"6. Huge numbers of foreign-born lead to a foreign policy based on expediency rather than sound principles. There are numerous groups to placate.

"7. Large groups of foreign-born prevent us from developing a unified national culture.

"8. Excessively rapid growth leads to the dissipation of natural resources too quickly.

"9. Immigrant competition tends to sterilize the native population.

"10. Immigration, when forced by economic necessity, tends to lower the biological quality of the race.

Decries Labor Competition

"What else could be expected? The one great reason for emigration from Europe, whence nearly all our immigrants come, is that over-population has made the struggle hard, because only the fittest can succeed and remain there in more or less comfort, while the remainder must emigrate or remain as the submerged fraction of the populace. Except in rare cases, it is not the geniuses or even the superiors who come to us for refuge, it is the inferiors who are forced out by economic pressure. If we take them, neither their descendants nor our descendants can have a fair chance when this same type of struggle comes to this country in the not far distant future. It is a serious matter."

A. E. Cane of the Massachusetts Agricultural College decried the competition of cheap foreign farm labor with American farmers. He pointed out that it was estimated that 200,000 or more Mexican immigrants are coming into the United States legally or illegally every year, and that sugar and beet culture, cotton raising and vegetable growing in certain parts of the country were calling for cheap labor.

DECREASES IN AFRICAN AND WEST INDIAN IMMIGRATION

THE paragraph reproduced in the last week's issue of The Negro World bearing upon African and West Indian immigration was not only of the greatest importance to our readers but very significant. We reproduce the paragraph here, because of its importance and because many of our readers may have not read it. It is as follows:

Negro World 9-12-25 We

New York Ag.

WASHINGTON.—Only 791 native Africans emigrated to the United States during the year ended June 30, 1925, as compared with 12,243 during the year 1924. This is a decrease of 11,452. The number of African departures from this country also showed a decrease, being 1,094 for the year 1925, as against 1,449 for 1924. West Indian immigrants also showed a marked drop in 1925 to 325, approximately one-seventh of 1,215, the 1924 total; and departures for 1925 were 345, as compared with 422 for 1924. In all, the decline in African and West Indian immigration fell below the average sustained by the total for all foreign countries.

It will be observed that no explanation is given for these decreases The bare fact is given. But there is a reason. Before the new immigration law went into effect restricting immigration, there was a very general flow of immigrants from the West Indies, who had only to register here as coming from their West Indian habitats. It was that way with Africa also. Under the new law the immigration apportionment is by nationality. Each nation is allowed so many entrants each year upon a certain basis. How many shall leave the British possessions, therefore, is determined by the Home Office in London. The policy of Great Britain is to discourage its Negro subjects from leaving the colonies. It also discourages American Negroes from going to the West Indies and African colonies. It is difficult, therefore, for a Negro to leave or go into any British colony. The number of persons allotted to Great Britain for entry into the United States is thus by the British policy restricted to the minimum in the African and West Indian allotments.

The matter goes further. The authorities in New York will not give a Negro going from United States freedom to visit Africa at all and are very particular in giving such to visit the West Indies. The explanation appears to be that Great Britain regards the American Negro as a dangerous person and, therefore, has adopted a policy to keep him out of the West Indies and Africa, where he may stir up the natives to agitate against British misrule. Negro sailors in the Royal navy are not allowed shore leave when in African ports, we understand, and many such sailors have written The Negro World of their personal experiences in this matter, and the rough treatment they have received by British officials in the African ports when they have been given shore leave.

We understand, also, that the Latin American countries have instructed their consular officers in the United States not to vise the passports of Negroes desiring to visit those countries as tourists or prospective settlers.

All of this makes a very aggravating condition and one that the Universal Negro Improvement Association regards as a grave injustice which we should all fight to overcome. Negroes should have the same freedom as others to go and come from one country to another with no other conditions than those which apply to other race groups.